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Contract

Sea Wall Works Contract for Tipner East Sea wall and associated works and services

VIVID

F03: Contract award notice

Notice identifier: 2024/S 000-035356

Procurement identifier (OCID): ocds-h6vhtk-046fdc

Published 31 October 2024, 2:57pm

Section I: Contracting authority

I.1) Name and addresses

VIVID

Peninsular House, Wharf Road

Portsmouth

PO2 8HB

Contact

Mr Simon Newby

Email

Simon.Newby@vividhomes.co.uk

Telephone

+44 1252368680

Country

United Kingdom

Region code

UKJ3 - Hampshire and Isle of Wight

Internet address(es)

Main address

<http://www.vividhomes.co.uk>

Buyer's address

<http://www.vividhomes.co.uk>

I.4) Type of the contracting authority

Other type

Housing Association

I.5) Main activity

Housing and community amenities

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Sea Wall Works Contract for Tipner East Sea wall and associated works and services

Reference number

DN724193

II.1.2) Main CPV code

- 45000000 - Construction work

II.1.3) Type of contract

Works

II.1.4) Short description

Vivid Housing Limited (“Vivid”) intends to enter a JCT 2016 D&B Contract with PMC Construction and Development Services Ltd ("PMC") for the construction of a 500m sea wall and associated infrastructure at the Tipner East site (the “Sea Wall Works Contract”)

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £4,653,536

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKJ3 - Hampshire and Isle of Wight

II.2.4) Description of the procurement

Vivid Housing Limited (“Vivid”) intends to enter a JCT 2016 D&B Contract with PMC Construction and Development Services Ltd ("PMC") for the construction of a 500m sea wall and associated infrastructure to be undertaken as part of the Tipner East regeneration scheme (the “Sea Wall Works Contract”).

The Tipner East regeneration scheme is a mixed tenure housing development involving the construction of 835 dwellings on the site consisting of houses, maisonettes and flats. The development will be undertaken in several phases. The scope of works to be carried out under the Sea Wall Works Contract will be limited to the construction of the sea wall and associated infrastructure works and related services.

PMC are currently providing various pre-construction services in relation to the Tipner East regeneration scheme under a Pre-Construction Services Agreement (“PCSA”) which was awarded to PMC by Vivid via Vivid’s contractors framework agreement. These pre-construction services include site remediation works, scheme design, flood defence design and assistance with the planning application for the development. It is intended that such services will be subsumed by and included within the scope of the Sea Wall Works Contract when entered into.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

The Sea Wall Works Contract is to be awarded to PMC pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 (the “PCR”). For the reasons below, Vivid’s view is that the Sea Wall Works Contract can only be awarded to PMC because competition is absent for technical reasons, and no reasonable alternative exists.

PMC introduced the site opportunity to Vivid and were awarded the PCSA under Vivid’s PCR-compliant contractors framework agreement on this basis. Pursuant to the PCSA, PMC have been heavily involved in working up the design for scheme and input into the planning application (amongst other things)

Please see the previous VEAT notice for further information Notice reference: 2024/S 000-018389

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2024/S 000-018389](#)

Section V. Award of contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

16 May 2024

V.2.2) Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

PMC Construction and Development Services Ltd

Portsmouth

Country

United Kingdom

NUTS code

- UKJ3 - Hampshire and Isle of Wight

The contractor is an SME

Yes

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £4,653,536

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

London

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

High Court of England and Wales

London

Country

United Kingdom

VI.4.4) Service from which information about the review procedure may be obtained

Cabinet Office

London

Country

United Kingdom